

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

**METROPOLITAN LIFE INSURANCE
COMPANY,**

Plaintiff,

v.

**NATIONAL COMMUNICATIONS
SYSTEMS, INC., ET AL.,**

Defendants.

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CIVIL NO. 97-2331(DRD)

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ORDER

A hearing relating to discovery issues was to be held on October 23, 2001. Said hearing was preliminary to a subsequent hearing to be held on October 30, 2001, on the disqualification of the Goldman firm.

The court has received a motion filed by counsel Juan R. Marchand, (Urgent motion Regarding October 23 Hearing and Filing Documents Under Seal, Docket No. 287), informing a personal medical reason requesting the continuance of both hearings. The motion is amply supported by Medical Certifications. The court further notes that one of the movers of the disqualification of the Goldman firm is co-defendant Axtmayer, represented by counsel Juan R. Marchand. The court has examined the motions and the certificates attached and without hesitation concludes that the hearings of October 23 and October 30, 2001, are to be continued for valid reasons. The hearings are continued sine die until after mid November 2001, when counsel Juan R. Marchand returns to his office.

Notwithstanding all of the above the case is not stayed except as co-defendant D'Angelo. Plaintiff, Metropolitan Life Insurance Co. and co-defendant Miller are to respond to the Memorandum filed by Axtmayer and Hertell dated October 22, 2001, (Docket no. 288), within the term granted by the local rules.

The parties are advised that the court shall perform an additional final effort to settle

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this case prior to holding the next two hearings. The parties are urged to have their respective principals available for the settlement conference.

The court is cognizant that the case is stayed by bankruptcy proceedings as to co-defendant D'Angelo.

Counsel Juan R. Marchand is to advise the court upon his return to office in mid November 2001.

IT IS SO ORDERED.

At San Juan, Puerto Rico, this 25 day of October 2001.

A handwritten signature in black ink, appearing to read 'Daniel R. Dominguez', with a stylized flourish at the end.

DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE